IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 13th day of June 2005
Criminal Misc. Bail Application No. 416/ 2005
Order on the bail application of accused

CRIMINAL SIDE

Aijaj S/o Shabir Ahmad
R/o Village Dada Jalalnpur
P.S. Bhagwanpur
District Haridwar ……Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of case crime No. 48 of 2005
U/s 363, 376, 506 I.P.C.
P.S. Bhagwanpur
District- Haridwar.

Hon'ble J.C.S. Rawat, J.

Heard Sri A.K. Singh learned counsel for the application and learned A.G.A. for the State.

Perused the F.I.R. as well as the medical report. According to the prosecution version, the girl was recovered on 17.3.2005 and the FIR was lodged on 19.3.2005. Pariwar register of the village shows that the date of birth of the victim-girl is 17.1.1983. Medical report also reveals that the age of the victim is 18 years. Meaning thereby, the victim was major at the time of the incident. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

However, observations made above shall not prejudice the trial court during the trial.

(J.C.S. Rawat, J.)

Dated 13.06.2005
LSR